

REMARKS

In an office action dated 11 March 2004, the Examiner rejects claims 1-16 (all pending claims) of this Application. In response to the rejections, Applicants respectfully traverse the rejection. Claims 1-16 (all pending) claims remain in the application. In light of the following arguments, applicants respectfully request that the Examiner remove the rejections and allow this Application.

The Examiner rejects claim 1 under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent Number 5,805,890 issued to Simons et al (Simon). To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barent, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements “arranged as in the claim.” *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

The first and second elements of amended claim 1 recite a debug support module configured to associate a debug flag with debug commands issued within the data processing system and a kernel module within said data processing system coupled for communication with said debug support module. The claim clearly recites that each element of the invention is in a single data processing system having memory. Simons does not teach this limitation. Instead, Simons teaches a system which provides a debugger system for a parallel processing system See Abstract; See also Col. 1, lines 44-57. A parallel processing system includes a plurality of processing nodes. See Col. 2, lines 23-25. Each processing node includes a processor and a memory. See Col. 2, lines 27-28. Since the system of Simons is not executed on a single data processing system, Simons does not teach all of the claimed elements as arranged in the claim. Thus, Applicants respectfully request that the rejection of claim 1 be removed and amended claim 1 be allowed.

Furthermore, amended claim 1 recites that the Kernel includes a messaging transfer unit configured to transfer messages from a source process within said data processing system to a destination process within said data processing system, said message transfer unit further configured to set a debug flag for said destination process

responsive to said source process having said debug flag sets. Simons does not teach this limitation. Simons is silent as to communications between processes on a single processing system Simons does not teach setting a debug flag for the destination process if the source process has a debug flag set. The Examiner incorrectly cites Col. 5, lines 23-53 as teaching this limitation. However, the cited section is teaching a control processor that sends messages to processing nodes. The processing nodes then execute commands in the message if the message includes flags set in the processing node. Applicants have read the entirety of the Simons reference and cannot find setting a flag in a destination process if the source process has a debug flag set. For this reason, applicants respectfully request that the rejection of claim 1 be removed and the amended claim 1 be allowed.

Claims 2-4 are dependent from claim 1. Thus, if claim 1 is allowable then claims 2-4 are allowable for at least the same reasons. Therefore, Applicants respectfully request that claims 2-4 be allowed.

The Examiner rejects claim 5 under 35 U.S.C. §102(b) as being anticipated by Simons. Amended claim 5 has been amended to make clear that all steps of the process are performed in a single processing system. Thus, claim 5 is allowable for at least the same reasons as amended claim 1. Thus, applicants respectfully request that the rejection of claim 5 be removed and amended claim 5 be allowed.

Claims 6-8 depend from claim 5. Thus, claims 6-8 are allowable as being dependent from an allowable independent claim. Thus, any other arguments to the allowability of claims 6-8 is moot. Applicants respectfully request claims 6-8 be allowed.

Claim 9 is rejected under 35 U.S.C. §102(b) as being anticipated by Ueki. Amended claim 9 recites a device that performs the method of amended claim 5. Thus, claim 9 is allowable for the same reasons as amended claim 5. Therefore, Applicants respectfully request amended claim 9 be allowed.

Claims 10-12 depend from claim 9. Thus, claims 10-12 are allowable as being dependent from an allowable independent claim. Thus, any other arguments to the

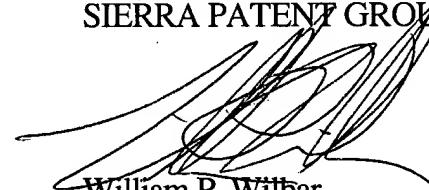
allowability of claims 10-12 are moot. Applicants respectfully request claims 10-12 be allowed.

Claim 13 is rejected under 35 U.S.C. §102(b) as being anticipated by Ueki. Amended claim 13 recites a device, in means plus function language that performs the method of amended claim 5. Thus, claim 13 is allowable for the same reasons as amended claim 5. Therefore, Applicants respectfully request amended claim 13 be allowed.

Claims 14-16 depend from claim 13. Thus, claims 14-16 are allowable as being dependent from an allowable independent claim. Thus, any other arguments to the allowability of claims 14-16 is moot. Applicants respectfully request claims 14-16 be allowed.

If the Examiner has any questions regarding this response or the application in general, the Examiner is invited to telephone the undersigned at 775-586-9500.

Respectfully submitted,
SIERRA PATENT GROUP, LTD.



William P. Wilbar
Reg. No.: 43,265

Dated: July 29, 2004

Sierra Patent Group, Ltd.
P.O. Box 6149
Stateline, NV 89449
(775) 586-9500
(775) 586-9550 Fax